

Appln. No. 10/690,293

Attorney Docket No. 10541-1880

**II. Remarks**

Claims 1-13 stand rejected. Claim 1 is being amended. Claims 2, 8, 11, and 13 are being cancelled. Accordingly, after entering the above amendments, Claims 1, 3-7, 9, 10, and 12 remain pending.

As amended, claim 1 is directed to a window assembly that includes a window with an opening and a flange attached to a lower region of the window. An upper surface of the flange is substantially parallel to a bottom edge of the opening and is at a higher elevation relative to the bottom edge of the opening to prevent contact between cargo extending through the opening and the bottom edge of the opening.

Reconsideration and re-examination of this application in view of the above amendments and the following remarks are herein respectfully requested.

*Drawing Objections*

Claims 8, 11, and 13 have been cancelled. Accordingly, it is believed that this objection is now moot and should be withdrawn.

*Claim Rejections - 35 U.S.C. §102(e)*

Claims 1-10 and 12 were rejected under 35 U.S.C. §102(e) as being anticipated by 2003/0213179 A1 to Galer (Galer).

Galer discusses a window assembly (10) with a fixed pane (12) and a sliding pane (14) supported for horizontal movement over an opening (15) by a pair of rails (16) and (18). Accordingly, the bottom rail (18) merely provides a



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guide for the sliding pane (14) to move back and forth to open and close the opening (15). Galer does not teach a window assembly that includes a fixed window with an opening and a flange with an upper surface that is at a higher elevation relative to the bottom edge of the opening to prevent contact between cargo extending through the opening and the bottom edge of the opening, as required by claim 1.

Thus, Galer does not teach each and every limitation of amended claim 1. Accordingly, reconsideration and withdrawal of the rejection of claim 1 under 35 § 102(b) are respectfully requested.

Since claims 3-7, 9, 10, and 12 depend directly or indirectly from claim 1, the reasons for allowance of claim 1 apply as well to the dependent claims.

*Claim Rejections - 35 U.S.C. §103(a)*

Claims 11 and 13 were rejected under 35 U.S.C. §103(a) as being unpatentable over 2003/0213179 A1 to Galer (Galer) in view of U.S. Patent No. 3,321,234 to Harrell et al. (Harrell). In view of the cancellation of claims 11 and 13, this rejection is now moot.

*Conclusion*

In view of the above amendments and remarks, it is respectfully submitted that the present form of the claims (claims 1, 3-7, 9, 10, and 12) are patentably



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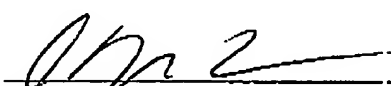
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distinguishable over the art of record and that this application is now in condition for allowance. Such action is respectfully requested.

Respectfully submitted by,

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